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**Subject:** Johnson v. Baltimore Police Department, et al., 1:19-cv-00698: Burgess case citation and case  
**Date:** Monday, September 26, 2022 2:08:00 PM  
**Attachments:** [Burgess v Goldstein.pdf](#)

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Dear Your Honor:

I attached the Fourth Circuit's *Burgess* opinion that I mentioned in my argument on Friday and indicated that I would provide the Court. The citation is *Burgess v. Goldstein*, 997 F.3d 541 (4th Cir. 2021). The case holds, "Indeed, [the Plaintiff's] case here appears thin. But thin evidence is not the same as no evidence. And under our standard of review, we are required to construe the evidence in the light most favorable to [the Plaintiff] and to draw reasonable inferences in his favor. If we do that, we conclude that [the Plaintiff] introduced enough evidence from which the jury could have inferred that [the Defendant Officer suppressed evidence in violation of *Brady*]." *Burgess v. Goldstein*, 997 F.3d 541, 552 (4th Cir. 2021). As I argued on Friday, the *Johnson* case exceeds the "thin evidence" in *Burgess* and thus, a jury should decide the case.

Respectfully submitted,

**Kobie Flowers**

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